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9
10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 In re:

) Case No.: 10-33275

) Chapter 13

15 SEMBRANO, ALICE TAMAYO,

16 Debtor.

) **DECLARATION OF DEBTOR IN**
) **SUPPORT OF MOTION TO AVOID**
) **LIEN OF BANK OF AMERICA, N.A.**
) **SECURED BY 903 FARRIER PLACE,**
) **DALY CITY, CA**

) Hearing Date: N/A

) Time:

) Place:

) Judge: HON. THOMAS E. CARLSON

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20 I, ALICE TAMAYO SEMBRANO, declare the following:

- 21 1. I am the Debtor in the above-referenced matter.
- 22 2. I filed a Chapter 13 Petition with the United States Bankruptcy Court on August
23 25, 2010.
- 24 3. I own the real property commonly known as **903 Farrier Place, Daly City, CA**
25 **94014** ("Subject Property").
- 26 4. World Savings & Loan ("First Lender") holds a first position lien against the
27 Subject Property, being recorded with the County of San Mateo, on or about July
28 7, 2005, as Document No. 0000112945 ("First Lien").

- 1 5. No Proof of Claim has been filed by the First Lender as of August 31, 2010.
- 2 6. The First Lender holds a lien is in the amount of \$622,173.00 as of the Petition
- 3 filing date.
- 4 7. Bank of America, N.A. holds a second position lien against the Subject Property,
- 5 being recorded with the County of San Mateo, on or about April 23, 2007, as
- 6 Document No. 0000062303 ("Second Lien").
- 7 8. No Proof of Claim has been filed by the Second Lender as of August 31, 2010.
- 8 9. The Second Lender hold a lien in the amount of \$174,528.00 as of the Petition
- 9 filing date.
- 10 10. I believe the value of the Subject Property is \$610,000.00, as of the Petition filing
- 11 date, based on cyberhomes.com, attached as *Exhibit "A"*.
- 12 11. The First Lien is greater than the value of the Subject Property, leaving no equity
- 13 to secure the Second Lien.

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15 I declare under penalty of perjury under the laws of the State of California, that the

16 foregoing is true and correct.

17 Executed on September 1, 2010 at Daly City, California.

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19 BY: /s/ Alice T. Sembrano

20 ALICE T. SEMBRANO, Debtor

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